

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**CODY DONOVAN SMITH,**

Defendant.

**Criminal No. 20-CR-45-F**

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**ORDER GRANTING GOVERNMENT’S COMBINED MOTION IN LIMINE  
TO AUTHENTICATE RECORDS**

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The Court has reviewed the Government’s combined motion in limine to authenticate records and notice of intent to rely to proceed under Federal Rules of Evidence 902(11), 902(13), 902(14) and 803(6), as well as Exhibit 1-5 attached thereto. The Court hereby finds that Exhibits 1-4 comply with Federal Rules of Evidence 902(11) and 902(13) and demonstrate that the Verizon, Apple, Tinder, and Sprint records that are the subject of Exhibit 1-4 are business records. The Court further finds that Exhibit 5 complies with Federal Rules of Evidence 902(11) and 902(14). The Court further finds that, because the certificates in Exhibit 1-5 are not testimonial, defendant’s Sixth Amendment right to confront the witnesses against him is not infringed by admission of the records authenticated by Exhibit 1-5. Accordingly, the Court finds that the records certified in Exhibit 1-5 are authentic, and that no witness testimony at trial is required to further authenticate said records.

SO ORDERED this \_\_\_\_\_ day of April, 2021.

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NANCY D. FREUDENTHAL  
United States District Court Judge